federal register

Wednesday
December 30, 1981

Part II

Department of Agriculture

Federal Grain Inspection Service

Official Inspection Services; Designations of Agencies

DEPARTMENT OF AGRICULTURE

Federal Grain Inspection Service

Request for Comments on Applicants for Designation in the Areas Currently Assigned to Denver Grain Exchange Association, Inc., Lincoln Inspection Service, Inc., and Omaha Grain Inspection Service, Inc.

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice requests comments from interested parties on the applicants for designation as the official agency in the areas currently assigned to the Denver Grain Exchange Association, Inc. (Denver), Lincoln Inspection Service, Inc. (Lincoln), and Omaha Grain Inspection Service, Inc. (Omaha). The three designations terminate effective 12 p.m., April 30, 1982.

DATE: Comments to be postmarked on or before March 1, 1982.

DATES: Comments must be submitted in writing, in duplicate, to Lewis Lebakken, Jr., Regulations and Directives Management Staff, Federal Grain Inspection Service, U.S. Department of Agriculture, Room 1642, South Building, 1400 Independence Avenue, SW., Washington, DC 20250, telephone (202) 447-9172. All comments received will be made available for public inspection at the above address during regular business hours (7 CFR 1.27(b)).

FOR FURTHER INFORMATION CONTACT: Lewis Lebakken, Jr., telephone (202) 447-9172.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512-1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The October 30, 1981, issue of the **Federal Register** (46 FR 54064) contained a notice from the Federal Grain Inspection Service (FGIS) requesting applications for designation to perform official inspection services under the U.S. Grain Standards Act, as amended (7 U.S.C. 71 *et seq.*) (Act), in the areas currently assigned to Denver, Lincoln, and Omaha, respectively. Applications were to be postmarked by November 30, 1981.

One applicant requested designation for all of the gegraphic area currently assigned to Denver. That applicant is the Denver Grain Exchange Association, Inc., Commerce City, Colorado. Denver applied for a renewal of designation for an additional 3-year period.

One applicant requested designation for all of the geographic area currently assigned to Lincoln. That applicant is the Lincoln Inspection Service, Inc., Lincoln, Nebraska. Lincoln applied for a renewal of designation for an additional 3-year period.

One applicant requested designation for all of the geographic area currently assigned to Omaha. That applicant is the Omaha Grain Inspection Service, Inc., Omaha, Nebraska. Omaha applied for a renewal of designation for an additional 3-year period.

In accordance with § 800.206(b)(2) of the regulations under the Act, this notice provides interested persons the opportunity to present their views and comments concerning the applicants. All comments must be submitted to the Regulations and Directives Management Staff, specified in the address section of this notice, and postmarked not later than March 1, 1982.

Consideration will be given to all comments filed and to all other information available to the Administrator of FGIS before a final decision is made with respect to this matter. Notice of the final decision is made with respect to this matter. Notice of the final decision will be published in the **Federal Register** and the applicants will be informed of the decision in writing.

(Sec. 8, Pub. L. 94-582, 90 Stat. 2873 (7 U.S.C. 79))

Dated: December 15, 1981.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 81-39419 Filed 12-29-81; 8:45 am]

BILLING CODE 3410-EN-M

Termination of Designations of the Sioux City Inspection and Weighing Agency, Inc., and A. V. Tischer and Son, Inc.

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces that the designations of two official agencies will terminate on June 30, 1982, and requests applications from parties interested in being designated as agencies to conduct official inspection services in the geographic areas currently serviced by each of the two present agencies. The two official agencies are the Sioux City Inspection and Weighing Agency, Inc., and A. V. Tischer and Son, Inc.

DATE: Applications to be postmarked on or before January 29, 1982.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Department of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250, telephone (202) 447-8525.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447-8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512-1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

Section 7(f)(1) of the U.S. Grain Standards Act, as amended (7 U.S.C. 71, *et seq.*, at 79(f)(1)) (Act), specifies that the Administrator of the Federal Grain Inspection Service is authorized, upon application by any qualified agency or person, to designate such agency or person to perform official inspection services after a determination is made that the applicant is better able than any other applicant to provide official inspection services in an assigned geographic area.

The Sioux City Inspection and Weighing Agency, Inc. (Sioux City), 310 S. Floyd Boulevard, Room 302, Sioux City, Iowa 51101, was designated as an official agency under the Act for the performance of official grain inspection functions on May 1, 1979. A. V. Tischer and Son, Inc. (Tischer), 137 10th Street, NW., P.O. Box 339, Fort Dodge, Iowa 50501, was designated as an official agency under the Act for the performance of official grain inspection functions on February 1, 1979. The two agencies' designations will terminate on June 30, 1982. This date reflects administrative extensions of official agency designations as discussed in the July 16, 1979, issue of the **Federal Register** (44 FR 41275). Section 7(g)(1) of the Act states generally that designations of official agencies shall terminate no later than triennially and may be renewed in accordance with the criteria and procedures prescribed in the Act.

The geographic area presently assigned to Sioux City in the States of Iowa, Nebraska, and South Dakota pursuant to section 7(f)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation is the following:

In Iowa, the area shall be:

Bounded: on the North by the northern Iowa State line from the Big Sioux River east to U.S. Route 59;

Bounded: on the East by U.S. Route 59 south to B24; B24 east to the eastern O'Brien County line; the O'Brien County line south; the northern Buena Vista County line east to U.S. Route 71; U.S. Route 71 south to the southern Sac County line;

Bounded: on the South by the Sac and Ida County lines; the eastern Monona County line south to State Route 37; State Route 37 west to State Route 175; State Route 175 west to the Missouri River; and

Bounded: on the West by the Missouri River north to the Big Sioux River; the Big Sioux River north to the northern Iowa State line.

In Nebraska the area includes Cedar, Dakota, Dixon, and Thurston Counties, and Pierce County north of U.S. Route 20 and west of U.S. Route 81.

In South Dakota the area shall be:

Bounded: on the North by State Route 44 (U.S. 18) east to State Route 11; State Route 11 south to A54B; A54B east to the Big Sioux River;

Bounded: on the East by the Big Sioux River; and

Bounded: on the South and West by the Missouri River.

Also, the following locations which are outside of the foregoing contiguous area, and which are presently assigned to Sioux City and which are part of the geographic area that may be assigned to the applicant selected for designation are:

1. Charter Oak Grain & Seed and Delanty Grain Company, Charter Oak, Iowa, in Crawford County;
2. Gooch Seed Mill and Ernie's Seed & Field Service, Storm Lake, Iowa, in Buena Vista County; and
3. Farmers Elevator Company and Feeders Mill & Elevator, Inc., Platte, South Dakota, in Charles Mix County.

The geographic area presently assigned to Tischer in the State of Iowa pursuant to Section 7(f)(2) of the Act and which is the geographic area that may be assigned to the applicant selected for designation is the following:

In Iowa, the area shall be:

Bounded: on the North by the Iowa-Minnesota State line from U.S. Route 71 east to U.S. Route 169;

Bounded: on the East by U.S. Route 169 south to State Route 9; State Route 9 west to U.S. Route 169; U.S. Route 169 south to the northern Humboldt County line; the Humboldt County line east to State Route 17; State Route 17 south to C54; C54 east to U.S. Route 69; U.S. Route 69 south to the northern Hamilton County line; the Hamilton County line west to R38; R38 south to U.S. Route 20; U.S. Route 20 west to the eastern and southern Webster County lines to U.S. Route 169; U.S. Route 169 south to E18; E18 west to the eastern Greene County line; the Greene County line south to U.S. Route 30;

Bounded: on the South by U.S. Route 30 west to E53; E53 west to N44; N44 north to U.S. Route 30; U.S. Route 30 west to U.S. Route 71; and

Bounded: on the West by U.S. Route 71 north to the Iowa-Minnesota State line.

Also, the following locations which are outside of the foregoing contiguous area, and which are presently assigned to Tischer and which are part of the geographic area that may be assigned to the applicant selected for designation are:

1. Cargill, Inc., Algona, Iowa, in Kossuth County;
2. Farmers Coop Elevator, Boxholm, Iowa, in Boone County;
3. Big Six Elevator, Burt, Iowa, in Kossuth County;
4. Farmers Elevator, Goldfield, Iowa, in Wright County; and
5. Farmers Coop Elevator, Holmes, Iowa, in Wright County.

Exceptions to the described geographic area are the following locations situated inside Tischer's area which have been and will continue to be serviced by the following official agencies:

1. Farmers Coop Company, Eagle Grove, Iowa, in Wright County to be serviced by the D. R. Schaal Agency; and
2. Gooch Seed Mill and Ernie's Seed & Field Service, Storm Lake, Iowa, in Buena Vista County to be serviced by Sioux City Inspection and Weighing Agency, Inc.

Interested parties, including Sioux City and Tischer, are hereby given opportunity to apply for designation as the official agency for each respective specified geographic area, as described above, under the provisions of section 7(f) of the Act and § 800.196(b) of the regulations issued thereunder. The designations in each specified geographic area are for the period beginning July 1, 1982, and terminating June 30, 1985. Parties wishing to apply for any of these designations should contact the Chief, Regulatory Branch, Compliance Division, at the address listed above for appropriate forms and information. Applications must be postmarked not later than January 29, 1982 to be eligible for consideration.

In making a determination as to which applicant will be designated to provide official inspection service in the geographic areas, consideration will be given to all applications submitted and all other information available to the Administrator. All applications submitted pursuant to this notice will be available for public inspection at the Regulatory Branch, Compliance Division, during regular business hours.

(Sec. 8, Pub. L. 94–582, 90 Stat. 2873 (7 U.S.C. 79))

Dated: December 15, 1981.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 81–36420 Filed 12–29–81; 8:45 am]

BILLING CODE 3410–EN–M

Renewals of Designation of the California Department of Food and Agriculture and the Washington Department of Agriculture

AGENCY: Federal Grain Inspection Service, USDA.

ACTION: Notice.

SUMMARY: This notice announces the renewals of designation of the California Department of Food and Agriculture (California) and the Washington Department of Agriculture (Washington) as official agencies responsible for providing grain inspection and weighing services under the U.S. Grain Standards Act (7 U.S.C. 71, *et seq.*) (Act).

EFFECTIVE DATE: February 1, 1982.

ADDRESS: James R. Conrad, Chief, Regulatory Branch, Compliance Division, Federal Grain Inspection Service, U.S. Depatment of Agriculture, 1400 Independence Avenue, SW., Room 2405 Auditors Building, Washington, DC 20250, telephone (202) 447–8525.

FOR FURTHER INFORMATION CONTACT: James R. Conrad, telephone (202) 447–8525.

SUPPLEMENTARY INFORMATION: This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12291 and Secretary's Memorandum 1512–1; therefore the Executive Order and Secretary's Memorandum do not apply to this action.

The August 4, 1981, issue of the **Federal Register** (46 FR 39775) contained a notice from the Federal Grain Inspection Service (FGIS) announcing that the designations of California and Washington were terminating on January 31, 1982, and requesting applications for designation as the agency to provide official inspection and weighing services within each specified assigned area. Applications were to be postmarked by September 3, 1981.

FGIS announced the names of the applicants for designation for each of the two agencies and requested comments on the applicants in the October 1, 1981, issue of the **Federal**

Register (46 FR 48419). Comments were to be postmarked by November 2, 1981.

One favorable comment was received regarding the renewal of designation of California (the only applicant) as the official agency in the area cited in the August 4, 1981, issue of the **Federal Register.**

After considering all available information in relation to the criteria for designation in section 7(f)(1)(A) of the Act, and in accordance with section 7(f)(1)(B), it has been determined that California is able to provide official services in the geographic area for which its designation is being renewed. This assigned area is the entire geographic area as described in the August 4, 1981, issue of the **Federal Register.**

No comments were received regarding the renewal of designation of Washington (the only applicant) as the official agency in the area as cited in the August 4, 1981, issue of the **Federal Register.**

After considering all available information in relation to the criteria for designation in section 7(f)(1)(A) of the Act, and in accordance with section 7(f)(1)(B), it has been determined that Washington is able to provide official services in the geographic area for which its designation is being renewed. This assigned area is the entire geographic area as described in the August 4, 1981, issue of the **Federal Register.**

Effective February 1, 1982, the responsibility for providing official inspection services in each geographic area as specified above will be assigned to California and Washington, respectively. Designations of each of the two agencies will terminate January 31, 1985.

A specified service point for the purpose of this notice is a city, town, or other location specified by an agency for the conduct of official inspection and where the agency or one or more of its licensed inspectors is located. In addition to the specified service points within the assigned geographic area, the agencies will provide official inspection services not requiring a licensed inspector to all other areas within their geographic area.

Interested persons may obtain a list of the specified service points by contacting the specific agencies at the following addresses:

California Department of Food and Agriculture, 1220 N. Street, Room A-150, Sacramento, CA 95823

Washington Department of Agriculture, 406 General Administration Building, Olympia, WA 98504

Interested persons may also contact the Regulatory Branch at the address listed above to obtain the information concerning specified service points.

(Sec. 8, Sec. 9, Pub. L. 94-582, 90 Stat. 2873, 2875 (7 U.S.C. 79, 79a))

Dated: December 15, 1981.

J. T. Abshier,

Director, Compliance Division.

[FR Doc. 81-36418 Filed 12-29-81; 8:45 am]

BILLING CODE 3410-EN-M